

EXHIBIT 47

CORRECTIONAL MEDICAL SERVICES

Site Human Resources

EMPLOYEE SUCCESS GUIDE

SITE HUMAN RESOURCES

EMPLOYEE SUCCESS GUIDE

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CORRECTIONAL MEDICAL SERVICES
HUMAN RESOURCES
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WELCOME....

TO THE CMS TEAM OF PROFESSIONALS!

I am happy to welcome you as a new employee of Correctional Medical Services (CMS). You have joined a team of professionals whose goal is to provide the best and most efficient service possible for the most reasonable price. In order to meet this goal, it is important for everyone to work together as a team.

We intend to offer you the opportunity for self-improvement and advancement. However, our goal will not be accomplished completely unless you are happy in your position and take pride in your work. Regardless of what function you may be performing, you should remember that your job is very vital and necessary in helping to meet our established goal. Please keep in mind that you are the one who gives the company its character and its personality, whether you are dealing with fellow employees, caring for a patient, talking with our client, or interacting with others.

You are joining CMS at an exciting period in our development and growth. As we continue to expand and serve the health care needs of an ever-increasing number of clients, we expect that career advancement opportunities for our employees will likewise continue to develop. CMS is proud of the growth record we have achieved and the contributions of each and every employee.

This manual is written in order to provide you with information concerning company policies, rules, employee benefits, and various relationships that exist. We will attempt to notify you as it becomes necessary for changes to be made to this manual. Please include new or revised policies in the appropriate section of this binder.

We welcome you as a new team member and are confident that your contributions will enhance the development of both CMS and yourself.

Richard H. Miles
President / Chief Operating Officer

IMPORTANT NOTICE

This manual represents the most current personnel policies of Correctional Medical Services, Inc. These policies apply to CMS Site employees only. Certain policies may not apply, in whole or part, to site employees covered by a collective bargaining agreement. (Refer to the appropriate bargaining agreement for applicable terms and conditions.) CMS retains the absolute right to modify or revise these policies based upon its professional and business concerns. These policies are only guidelines and information for employees and may or may not apply depending on individual circumstances. The *Employee Success Guide* is not an employment contract and should not be construed as such. It is understood that either party may end the employment relationship with or without notice, and with or without cause at any time. CMS remains free, in its sole discretion, to change or amend these policies, benefits, and contents at any time, with or without notice. No member of CMS management has the authority to enter into a contract of employment with any employee except as approved in writing by CMS' Division Presidents.

Throughout this manual, the term "Site Manager" is referenced. This applies to the highest CMS management member located within your facility, and the individual may have a title other than 'manager.' If in doubt, please contact the Human Resources Department for clarification.

SECTION

1

SITE HUMAN RESOURCES

EMPLOYMENT POLICIES

1.1

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of Correctional Medical Services (CMS) to provide equal opportunity and employment to all. CMS is fully committed to the challenge and opportunity to be an equal opportunity employer. We will make all decisions to recruit, select, train, transfer, promote, and release employees without regard to age, race, gender, sexual orientation, religion, national origin, Vietnam-era veteran or disabled veteran status. We will also ensure that equal employment opportunity, and reasonable accommodation, are provided for qualified individuals with a disability. In addition, we will ensure that our human resources policies and practices, such as wages, benefits, lay-offs, and training programs will be administered without regard to age, race, sex, sexual orientation, religion, national origin, disability, Vietnam-era veteran or disabled veteran status. We will provide reasonable accommodation to employees' religious beliefs.

1.2

HARASSMENT POLICIES

Correctional Medical Services (CMS) is committed to providing a work environment that is free of discrimination or harassment. In keeping with this commitment, no form of harassment, sexual or otherwise, will be tolerated in the work place. Any employee who feels that a supervisor's, manager's, other employee's or non-employee's actions, words or conduct constitutes harassment is required to report the incident immediately.

GENERAL HARASSMENT

CMS strives to provide a work environment that is professional and free from intimidation, hostility or other offenses that might interfere with work performance.

DEFINITION

Harassment of any sort, whether verbal, physical, or visual, that is directed toward a person's gender, race, religion, sexual orientation, national origin, physical or mental disability, or age will not be tolerated.

Workplace harassment can take many forms; it can be found in statements, gestures, writings, signs, cartoons, pictures, e-mail, jokes and pranks, physical contact and assaults, and acts or threats of violence or retribution. Harassment is not necessarily sexual in nature. It may also take the form of other activity including derogatory statements or conduct not directed to the targeted or offended individual but taking place within their presence.

MANAGEMENT & EMPLOYEE RESPONSIBILITY

CMS prohibits not only harassment but also any type of retaliation for making a harassment complaint, for assisting another to make a harassment complaint, or for participating in a harassment investigation. All CMS employees, particularly supervisors and managers, have a responsibility for keeping the work environment free of harassment or retaliation of any type. Any employee who becomes aware of an incident of harassment, whether by witnessing the incident or being told of it by others, must report the incident as soon as possible.

Internal complaint procedures have been established to ensure effective investigation and resolution of harassment complaints. In the event of an incident of harassment, employees should contact their supervisor, the next level of site or regional management, or the Human Resources Department in St. Louis at 1-800-325-4809. All managers and supervisors are required to take appropriate steps to disseminate this policy, to inform employees of the procedures for lodging a complaint, and to notify the Human Resources Department of any complaints they receive.

All reports of harassment will be handled with discretion and with due regard for privacy concerns. All reports will be investigated and disciplinary action, up to and including termination, will be taken in appropriate circumstances.

**PROHIBITION ON
RETALIATORY
CONDUCT**

Retaliation of any sort will not be allowed; no adverse employment action will be taken against an employee for making a good faith report of alleged harassment.

If an investigation of a complaint shows that the complaint/information was intentionally falsified, the individual(s) who provided the false information will be subject to disciplinary action, up to and including termination of employment.

**SEXUAL
HARASSMENT**

Any employee who feels that he or she has been subject to harassment because of his or her gender or sexual orientation must report the incident immediately to his or her supervisor. If this is not appropriate, (e.g. the incident involves the supervisor) or it is otherwise uncomfortable for the employee to report to the supervisor, then the incident must be reported either to the next level of management or directly to the Human Resources Department, 1-800-325-4809. Employees may also report a complaint via the confidential *Business Conduct Policy* Hotline, 1-800-325-3982, ext. 9360.

No supervisor shall threaten or insinuate, either explicitly or implicitly, that an employee's refusal to submit to sexual advances will adversely affect the employee's continued employment, compensation, performance evaluations, advancement, assigned duties or any other condition of employment.

Any conduct of a sexual nature which demeans the dignity of an employee through insulting or degrading remarks, behavior, actions, or gestures, or which creates an intimidating, hostile or offensive work environment, whether committed by supervisors, non-supervisory personnel, or non-employees, is strictly prohibited.

Any employee who receives a complaint involving sexual harassment must immediately contact the Human Resources Department. An investigation will be conducted, and if warranted, disciplinary action, including dismissal, will be taken.

DEFINITION

Sexual Harassment refers to behavior of a sexual or sexually suggestive nature, which may be reasonably perceived to be personally offensive and which interferes with morale and work effectiveness of another employee. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting that individual;
3. Such conduct has the purpose or effect of substantially interfering with an individual's professional performance or morale or creating an intimidating or offensive work environment.

Conduct that constitutes sexual harassment includes, but is not limited to the following:

1. It is sexual harassment for any manager to condition the award of any benefit on the granting of sexual favors or the establishment or continuance of a personal relationship, or to imply to such employee that the award of such a benefit is so conditioned.
2. It is sexual harassment for any employee to state or imply that a particular employee's deficiencies in performance are attributable in whole or in part to the sex of that person.
3. It is sexual harassment for any employee to state or imply that a particular employee's advances in employment have resulted from the granting of sexual favors or the establishment or continuance of a personal relationship.
4. It is sexual harassment for an employee to comment on specific characteristics associated with a particular sex whether or not comments are related to a specific individual.
5. It is sexual harassment to display in the workplace demeaning, insulting, intimidating, or sexual suggestive objects, pictures, or photographs.
6. It is sexual harassment to transmit electronically, via interoffice mail or otherwise, demeaning, insulting, intimidating, or sexually suggestive written or recorded messages.
7. It is sexual harassment to make demeaning, insulting, intimidating, or sexually suggestive comments about an individual's personal appearance.
8. It is sexual harassment to make repeated requests for dates or social engagements when refused. NO MEANS NO.
9. It is sexual harassment for non-employees (i.e. client personnel or vendors) to engage in sexual or sexually suggestive behavior including touching, ogling, making sexual comments, or soliciting sexual favors where such conduct interferes with work.

Whether or not certain other conduct constitutes sexual harassment may depend on how that conduct is viewed by the employee who is subjected to that conduct or witnesses the conduct. The employee who initiates or persists in the conduct assumes the risk and the possible penalties in the event that the person who is the object of the conduct views it or witnesses the conduct as offensive, even if it might not have been intended as offensive.

While it is not always easy to define precisely what harassment is, it certainly includes, but is not limited to; slurs, epithets, threats, derogatory comments and unwelcome jokes, teasing or sexual advances, and using degrading terms and obscene language or gestures.

CMS strongly discourages supervisors from dating or having an intimate relationship with anyone reporting to them, or over whom they have evaluation or wage recommendation authority. Where such a relationship exists, both the supervisor and employee are required to report it to the Human Resources Department.

**MANAGEMENT
RESPONSIBILITY**

All supervisors, managers, and department heads are required to take appropriate steps to disseminate and enforce this policy, inform employees of procedures for lodging complaints, and notify the Human Resources Department of any complaints they receive. Supervisors, managers, and department heads are required to stop this behavior from occurring should they see it in their area, even if no complaint is filed.

**PROHIBITION ON
RETALIATORY
CONDUCT**

CMS prohibits any form of retaliation against employees for bringing non-frivolous complaints or information about harassment. Retaliatory conduct is a basis for disciplinary action, up to and including termination of employment.

If an investigation of a complaint shows that the complaint/information was intentionally falsified, the individual(s) who provided the false information will be subject to disciplinary action, up to and including termination of employment.

EMPLOYMENT POLICIES

CMS employs individuals who are, in its judgment, best qualified to fill available positions.

All applicants for employment with CMS are required to complete an employment application and are subject to initial screening by the Human Resources Department. Final selection of employees rests with the Site Manager of the individual contract site, and in some instances, his or her immediate supervisor.

Because of the high-security environment in which we work, employees are required to submit to drug testing as a part of pre-employment screening, unless otherwise specified by state law. Employees may also be required to submit to drug testing as part of investigations that may occur during the course of employment. Some locations may also require random drug testing and participation in a *"Drug Free Workplace"* program as a condition of employment.

An individual will be employed after a bona fide offer of employment provided the following conditions have been met:

1. Verification of references, licenses, and qualifications.
2. Satisfactory security investigation/clearance.
3. Satisfactory completion of a drug test.

1.4

EMPLOYEE CLASSIFICATIONS**PROBATIONARY**

New employees are considered to be in probationary status until they complete three consecutive months of employment. During this period, the new employee is evaluating the organization and likewise, the supervisor is evaluating the new employee's fit for the position.

A probationary period may be extended up to 60 days, if the additional time is necessary to evaluate an employee's performance.

Transfers and promotions are not permitted during the probationary period except under unusual circumstances.

FULL-TIME

Full-time employees are those who are regularly scheduled to work 40 hours per week and whose status reflects a 1.0 FTE (*Full Time Equivalent*) on the SCD (*Staffing Control Document*). All full-time regular employees are eligible for the full range of benefits described in the Benefits section of this manual, subject to the stated waiting periods.

PART-TIME

Part-time employees are those who are regularly scheduled and work less than 40 hours per week. Employees in this classification should refer to the Benefits section to determine those employee benefits to which they may be entitled, since this will vary according to the employee's scheduled hours as reflected by the classification on the SCD.

**PER DIEM/
TEMPORARY**

Persons who are employed for "as needed/PRN" or to fill temporary vacancies will be classified as PRN/temporary employees and will be informed of this at the time of hire. Employees in this category are not eligible for benefits unless otherwise specifically provided hereafter or by law.

NOTE: All employees are notified at the time of hire as to their full-time, part-time, or per diem status. An employee's status is determined by the Staffing Control Document (SCD), and the hours actually worked are not determinative of his/her classification status. Employees will be notified of changes in classification status.

ORIENTATION

New employees will complete a CMS orientation program. Orientation will contain information to assist CMS employees in better understanding their roles and responsibilities as health care staff in a correctional setting. Orientation information is comprised of policies, procedures, and standards to which you will be held accountable while a CMS employee.

Orientation includes, but is not limited to:

New Employee Orientation Part I - General Modules
(recommended for completion within 10 working days of hire) - i.e.
employment forms, benefits enrollment (if eligible), CMS Personnel
Policies, facility/security information, timekeeping, safety, etc.

New Employee Orientation Part II - Clinical Modules
(recommended for completion within 90 working days of hire) - i.e.
medication administration, intake health screening, sick call, and other
job specific areas as applicable to the position.

Orientation may consist of classroom instruction, videos, reading materials, and hands-on demonstration. Most orientation modules have a checklist and exam, which must be completed and signed by each employee.

Each employee should take responsibility for thoroughly completing his/her orientation in a timely manner.

PERFORMANCE EVALUATIONS

All regular full and part-time employees are scheduled to receive a written performance evaluation on at least an annual basis, usually during the month of the anniversary of employment. Supervisors should complete an evaluation form prior to the evaluation meeting with the employee. All items on performance evaluation forms are to be discussed, and employees are encouraged to complete the section requesting employee's comments and participate in their own development. Employees and supervisors should work on performance plans jointly for the growth of the employee in meeting personal and company goals, objectives, and standards.

The Company considers evaluation forms confidential and will not disclose the evaluations unnecessarily to those who do not have a need to know. The Human Resources Department is available to assist employees and supervisors in the performance evaluation process.

1.7

CAREER DEVELOPMENT & PROMOTIONS/TRANSFERS/JOB POSTINGS

CAREER DEVELOPMENT

CMS prefers to fill available positions with qualified current employees who have prepared and developed themselves for advancement. Employees are responsible for informing their supervisor and the Human Resources Department of their career and location interests. Employees can always inquire, in confidence, to the Recruiting Department about positions available; however, when employees formally apply for a promotion or transfer, they must inform their supervisor of their intention.

PROMOTIONS/ TRANSFERS

Applications for available positions are made through the Human Resources Recruiting Department if the position is at another CMS contract location. If the position desired is at the employee's current location, he or she should apply directly to the Site Manager. Promotions or transfers are not normally approved while an employee is in probationary status, or is currently in or has received Corrective Action within the previous six (6) months. *Employees who are promoted or transferred must satisfy a three-month probationary period in their new position.* To avoid undue disruption, voluntary promotions and transfers are limited to no more than one (1) per twelve (12) months. Employees transferred or promoted will retain service credit for purposes of benefit eligibility.

JOB POSTINGS

It is CMS practice, whenever possible, to post job openings within the company. Employees may call the CMS Recruiting Department to inquire about opportunities in addition to viewing job postings on the CMS web site at www.cmsstl.com.

CORRECTIVE ACTION

CMS believes that supervisors and employees have a mutual responsibility to correct performance or conduct detrimental to the efficient and harmonious delivery of our services.

CMS has established a policy of progressive corrective action, where practical, to facilitate improvement in conduct and performance. This assures that employees are fairly informed regarding problems and have an opportunity to correct deficiencies before more serious action is taken.

CMS reserves the prerogative to take progressive disciplinary action or to immediately terminate employment if appropriate under all circumstances.

Corrective Action may take place in the following ways:

VERBAL COUNSELING

The supervisor should conduct a confidential face-to-face counseling session with the employee at the earliest indication of a performance or behavior deficiency. The supervisor will clearly state where and how the current performance or behavior does not meet expectations and give examples of what desired performance or behavior should be. The employee and the supervisor are then expected to agree on corrective action to be taken immediately to resolve the performance or behavior deficiency. The supervisor will document the counseling and corrective action on the appropriate form to be filed in the employee's personnel file.

WRITTEN COUNSELING

The supervisor should prepare a written description of the performance or behavior deficiencies, which will be signed by both the employee and the supervisor and placed in the employee's personnel file. In some cases, this may be the first step in the corrective action process, depending upon the situation. The supervisor should conduct a confidential face-to-face counseling session with the employee using the Written Counseling Memorandum. This written documentation will include a statement of the performance or behavior deficiencies, reference to any previous verbal counselings as appropriate, expectations of desired performance or behavior, corrective action suggested to resolve the performance or behavior deficiencies, and the potential consequences if not corrected. The written counseling notice is given and reviewed in a face-to-face meeting with the supervisor and employee. One or more follow-up conversations regarding progress toward resolving the performance or behavior deficiencies may then occur.

FINAL WRITTEN WARNING

A final written counseling includes a written description of the behavior or performance deficiencies, which will be signed by both the employee and the supervisor. The Final Written Warning is prepared on the Final Written Warning Memorandum form and reviewed in a face-to-face meeting. This written

documentation will include a statement of the behavior or performance deficiencies, previous corrective action history as appropriate, and expectations necessary to correct the deficiencies. After the Final Written Warning Memorandum is signed by the employee and the supervisor, it is placed in the employee's site personnel file. An employee will normally receive a final written warning as the last step before recommendation for termination action is initiated.

RECOMMENDATION FOR TERMINATION

Recommendations for termination are reviewed with Regional Management and the Divisional Human Resources Manager. The supervisor prepares a written termination recommendation, and after approval is secured, meets confidentially with the employee to verbally communicate the termination decision.

Immediate Action or Termination

An employee may receive a final written warning or be recommended for termination due to serious misconduct. Examples of misconduct and reasons considered justification for termination and/or immediate action include, but are not limited to:

- ✧ Revealing confidential company or patient information
- ✧ Refusing or deliberately failing to carry out a reasonable instruction of your supervisor
- ✧ Intentional falsification of an employment application, time record (of self or others' manual or electronic), expense claim, travel expenses, or any other company, institutional, or patient record or document
- ✧ Failure to report to work without calling in
- ✧ Violation or disregard of an established security policy or practice of the correctional facility or security guidelines as outlined in the *Employee Success Guide*
- ✧ Professional or personal misconduct detrimental to the rights or safety of self, co-workers, institutional employees, or inmates
- ✧ Inappropriate and disruptive conduct which severely affects the morale and/or productivity of others
- ✧ Behavior indicating abuse of alcohol or controlled substances, either illegal or prescribed
- ✧ Violation of CMS' *Business Conduct Policy*
- ✧ Personal conduct of a verbally or physically abusive nature
- ✧ Expiration/revocation or inability to demonstrate required licensure/registration/certification
- ✧ Fraternalization with an inmate or former inmate
- ✧ Sleeping while on duty
- ✧ Stealing company or institutional supplies or property
- ✧ Refusing to treat or provide care to a patient
- ✧ Abandoning a shift prior to proper replacement relief and coverage

The preceding items are *examples* of serious misconduct and the list is not intended to be all-inclusive. In these cases, the Human Resources Department must be contacted before any action is taken.

SUSPENSION

Suspension without pay may occur at any point during the Progressive Corrective Action process, depending on the circumstances.

A supervisor may suspend an employee immediately upon the occurrence of any suspected act of serious misconduct to allow opportunity for investigation and review of the incident. A recommendation will then be made as to whether to uphold the suspension, reinstatement or discharge. The recommendation will be reviewed by Regional Management and the Human Resources Department and a determination will be reached and communicated to the employee.

SUPERVISORS AND MANAGERS

Due to the level of responsibility of a manager or supervisor, discipline of management and supervisory personnel may or may not follow the corrective action process outlined in whole or in part. Corrective Action will be determined on a case-by-case basis by the appropriate management personnel in conjunction with Human Resources.

PROBATIONARY EMPLOYEES

Probationary employees are subject to a modified corrective action process which may, at the Company's discretion, only include a verbal counseling, final written warning, and recommendation for termination.

Institutional Action

It must also be noted that the institution may temporarily or permanently withdraw access from anyone who works in or enters the institution. In the event of such withdrawal of access, CMS will attempt to resolve the situation as soon as practical. Loss of institution access formally results in termination of employment by CMS, as security clearance/access is a precondition of employment by CMS.

RESIGNATION AND EXIT INTERVIEWS

Employees deciding to resign their position must immediately notify their supervisor, in writing, of their intended resignation date. A minimum of two (2) weeks' notice is required to obtain a replacement and maintain proper service to our customers. Managerial and supervisory staff must give at least three (3) weeks' notice. Employees not providing required notice of resignation are not eligible to receive pay for unused PTO, unless otherwise required by law.

Employees may not take PTO after giving two weeks' notice and will not be paid for any sick leave taken during their final two weeks unless a doctor's statement is submitted.

EXIT INTERVIEW

As soon as the Site Manager becomes aware of a resignation, an exit interview may be scheduled with the employee to discuss the reasons for leaving and to make arrangement for the return of any company or institutional property. Arrangements involving the following miscellaneous items will be made at this time:

- ↳ Returning keys, credit cards, company documents, manuals, etc.
- ↳ Providing a forwarding address, if applicable
- ↳ Contacts for information on continuing benefits

In addition, employees may also request an exit interview with the Human Resources Department. Exit interviews conducted by the HR Department are confidential.

1.10

EMPLOYMENT OF RELATIVES

The policy regarding employment of relatives does not prohibit relatives from working for CMS, but it does restrict their direct reporting relationship to and with each other. It is company policy that close relatives do not report to each other or work in positions where a conflict of interest could easily arise. Close relatives include but are not limited to: spouse, child, parent, brother, sister, grandparent, grandchild, parent-in-law, brother/sister-in-law, step-parent, step-child; or an individual with whom the employee has a close personal relationship similar to one of those previously described. It is a requirement of CMS that employees disclose to their supervisors the existence of any such relationship within the company. Failure to report such relationship may result in termination of all employees involved.

When a relationship arises after employment, the non-supervisory employee will be given the opportunity to transfer to another position (provided one is available) or the employee must resign. A grace period of four (4) weeks will be given in order to allow the employee to find a new position.

SECTION
2

SITE HUMAN RESOURCES
COMPENSATION POLICIES

2.1

YOUR COMPENSATION

The compensation philosophy of Correctional Medical Services is to pay all employees fairly for their contribution based on a system of internal and external equity. Pay rates are determined from many factors including education, experience, responsibility, and market value. To determine external equity, periodic surveys are done to estimate market value. Internally, a job evaluation system is used.

Information about your rate of pay and other personal data for credit card applications or similar purposes will be provided to others outside the organization only with your written authorization. Inside the organization, this information is shared only with you and your supervisor or potential supervisor.

COMPENSATION REVIEWS

Compensation reviews occur periodically, usually on an annual basis, as part of the performance evaluation process. Any wage increases that may be recommended by the employee's supervisor as a result of the performance evaluation are based on merit and are reviewed and approved by the Site Manager and Regional Management.

2.2

PAY CLASSIFICATIONS

For pay purposes, all employees will be designated as Non-Exempt or Exempt as defined below:

- ↳ Non-Exempt - means employees covered by the Wage/Hour Law are subject to overtime pay if working more than 40 hours in a defined work week, or other period as required by State Law.
- ↳ Exempt - refers to certain managerial, professional, or administrative positions that are paid a fixed amount and do not receive overtime pay.

WORKING HOURS

Regular workday hours are established at each work site and will generally consist of an 8½-hour shift that includes a 30-minute unpaid meal period. Employees should consult with the Site Manager for specific work hours since this may vary depending on the institutional agreement.

The standard workweek consists of seven consecutive days starting at 12:00 midnight on Sunday and ending at 11:59 p.m. the following Saturday.

The medical unit provides continuous service seven days a week. Employees may be scheduled to work any shift as needed including Saturday and/or Sunday as part of a normal workweek. It is the expectation of CMS that employees may not leave the unit at the end of their shift unless another CMS staff member has properly relieved them.

MEAL PERIODS

Meal periods will be taken on a consistent basis unless there is an unusual operational, patient care, or security need. If an employee is requested by a supervisor to work part or all of a meal period, the employee is to complete a T-2 adjustment form to record the meal period as "hours worked." If the form is completed, the employee will be paid for the entire meal period. Any employee who works through the meal period must complete a T-2 adjustment form the same day in which the meal was missed in order to be paid for that time. Otherwise T-2 will automatically deduct a 30-minute meal period for any shift of six (6) hours or greater.

Employees are directed to take their 30 minute unpaid meal period away from their normal workstation, when possible.

TIME KEEPING

All employees must accurately record total hours worked on a daily basis via the T-2 system (where applicable) or via a manual time sheet.

In addition, all non-exempt employees are required to report the following items:

- ☞ Any lunch period during which the employee was requested to work by their supervisor
- ☞ Any PTO (Paid Time Off) taken
- ☞ Any funeral or jury duty hours
- ☞ All other regularly scheduled hours that the employee did not work, such as time missed due to lateness or other unpaid absence
- ☞ All hours worked by the employee off site

All exempt employees are required to report the following items:

- ☞ Any PTO (Paid Time Off) taken
- ☞ Any funeral or jury duty hours

All of the above should be reported regardless of whether or not the employee has benefits accrued to cover the time. The amount of paid time-off benefits available will be determined in accordance with company policy.

T-2 SWIPING AND ADJUSTMENTS

If on a manual system, all time records must be signed by both the employee and the supervisor prior to being submitted to the Payroll Department.

If on the automated T-2 system, you must assure that you swipe at all appropriate times. *All T-2 adjustments must be signed by both you and your supervisor.*

An employee's time records are considered legal documents and must accurately reflect the hours the employee has worked. Employees must not swipe for anyone else and must not allow anyone else to swipe for him or her. This is considered a very serious offense and may be grounds for dismissal.

Falsification of time or a time sheet or failure to complete and submit a time sheet is considered a serious offense and may result in corrective action, including a recommendation for termination.

In order to satisfy recording requirements for client billing purposes, both Non-Exempt and Exempt employees may be asked to keep additional records of time worked and not worked.

2.6

OVERTIME

Employees classified as Non-Exempt are paid for all overtime "hours worked" in excess of forty (40) hours in a defined work week, or as required by State law (see Section 2.2, **Pay Classifications**). "Hours worked" refers to actual hours worked during the workweek.

Overtime is paid at a rate of 1½ times the employee's average hourly rate for the workweek in which it occurs. Overtime must be approved in advance by the employee's supervisor or in accordance with established site policies. Payment for PTO or any other paid non-work status (i.e. funeral, jury duty, etc.) is not considered as time worked when calculating overtime.

PAY PERIOD AND PAY DAY

The normal pay period ending dates vary by site location, but employees are paid every two weeks. During orientation, you will be advised of pay periods specific to your site (or Regional Office location).

Paychecks are processed for all CMS employees based on information received from the individual work sites. Because the processing time may vary according to location and size of the payroll to be processed, actual pay dates are posted at each work site informing employees of the dates that paychecks should normally be available. Payroll checks and Deposit Advice Notices are sent directly to the facilities for distribution unless other arrangements have been approved.

DIRECT DEPOSIT

Employees may elect to have their paycheck deposited directly into their personal account(s) provided the bank(s) is a member of the Automated Clearing House. Employees using direct deposit must immediately notify the Payroll Department of any banking changes, including changes in account numbers. Changes must be made via the *Direct Deposit Form*, available from your supervisor. Changes may take up to two (2) pay periods to process.

PAY IN ADVANCE

CMS is **unable** to pay employees in advance. Paychecks will not be issued in advance of payday to employees out of the facility on payday.

FINAL PAY

In most cases, final paychecks will be mailed to the employee's home on the next payday following the termination date, unless otherwise specified by state law.

Any remaining eligible PTO time (according to the pro-rated termination table in Section 3.1, **Paid Time Off**) will be included on the final paycheck, provided the employee has completed twelve (12) months of service and provided proper notice, unless otherwise specified by state law.

PAY DAY WHEN ABSENT

If an employee is not at work when paychecks are distributed, the employee's check or Direct Deposit Advice Notice will be held by the Site Manager until the employee's return, unless other arrangements are made between the employee and the Site Manager.

SECTION
3

SITE HUMAN RESOURCES
EMPLOYEE BENEFITS

OVERVIEW

CMS has developed a comprehensive benefit package to help provide for the welfare and security of you and your family. Many of the benefits are paid completely by CMS.

The following is a very brief overview of the benefits available to regular full-time CMS employees. Additional details are available in the Summary Plan Description provided for each plan, or you may discuss any benefit questions you have with a member of the CMS Benefits Department.

If there is ever a question about one of the benefit plans, or if there is a conflict between the information in this guide, the Summary Plan Description, and the formal language of the plan documents, the formal wording in the plan documents will govern.

Correctional Medical Services reserves the right to change or amend the benefit plan provisions or employee cost allocations as necessary. Reasonable notice will be provided regarding benefit plan changes or amendments.

3.1

PAID TIME OFF

The Paid Time Off (PTO) program is a benefit providing paid time off from work which is customized to meet individual employee needs yet sensitive to the required staffing needs of the facility. PTO is used for time off for vacations, holidays, short-term illnesses, and personal business.

Within the scheduling needs of each facility, this benefit provides employees with the flexibility to manage time off from work according to their own personal needs.

PTO PERIODS

The Paid Time Off benefit period is January 1 through December 31. Eligible full-time and part-time employees are credited with PTO on January 1st and July 1st of each year according to the published schedule. PTO hours are based upon the completed years of service as of June 30th and December 31st each year. Employees are eligible to use PTO as soon as it is credited. All PTO hours must be used prior to December 31st of each year. Unused PTO will be transferred to the employee's Extended Sick Leave (ESL) bank. In addition, eligible full-time and part-time employees will have their Extended Sick Leave bank credited with the appropriate number of hours on January 1st of each year. (See Section 3.3, Extended Sick Leave.)

NOTE: Employees on Workers' Compensation leave who cannot use their PTO hours will be able to carry those hours forward into the next fiscal year.

ELIGIBILITY

Eligible employees are defined as follows:

Full-time employees are defined as those who are hired for and regularly scheduled to work forty (40) hours per week and who are designated as a 1.0 FTE on the Staffing Control Document (SCD).

Part-time employees are defined as those who are regularly scheduled to work a minimum of twenty-four (24) hours per week and a maximum of thirty-nine (39) hours per week.

**INELIGIBLE
EMPLOYEES**

Employees who are not eligible to participate in this program are those who are designated as PRN (on-call, as needed) or who are part-time employees regularly scheduled less than twenty four (24) hours per week and who are less than a .60 FTE on the SCD.

PTO PAY

PTO is paid at the base rate of pay in effect on the date payment is made. PTO will not be counted as hours worked for the purpose of overtime calculations.

**SCHEDULING,
APPROVAL, AND
USAGE**

The minimum PTO usage for exempt employees is eight (8) hours, whereas for non-exempt employees, minimum PTO usage is in one (1) hour increments. PTO is to be used and scheduled according to the employee's work schedule.

To schedule PTO, employees should fill out the *Request for Paid Time Off* Form.

Employees are expected to schedule PTO with their supervisor before the schedule is posted, or as determined by the Site Manager. *Approval of PTO will be made by the supervisor based upon the staffing needs of the facility and the necessity of the employee's leave.* The supervisor may cancel scheduled PTO based upon staffing needs and workload.

In the event of an unscheduled absence, due to an unforeseen illness or emergency, the employee must notify the supervisor at least two (2) hours in advance of the scheduled shift.

Unscheduled absences will be paid if PTO hours are available. An excessive amount of unscheduled PTO requests may result in corrective action.

Employees are responsible for managing the use of their time off so that time off beyond their allotted PTO hours is not needed. PTO cannot be used in advance of acquisition. Employees cannot borrow from future allocations.

**PTO CREDIT
SCHEDULE**

The amount of PTO to which an employee is entitled is driven by the employee's "FTE %" based on their standard hours as follows:

Standard Hours / Week	FTE %
40.0 +	100 %
36.0 – 39.99	90 %
30.0 – 35.99	80 %
24.0 – 29.99	60 %

Employees hired between January 1st and December 31st are granted PTO hours as per the following chart:

Hire Date	FTE % at Hire			
	100%	90%	80%	60%
01/01	104	94	84	64
01/02 – 02/01	84	76	66	52
02/02 – 03/01	64	58	50	40
03/02 – 04/01	40	36	32	24

Hire Date	FTE at Hire			
	100%	90%	80%	60%
04/02 – 05/01	20	18	16	12
05/02 – 06/01	0	0	0	0
06/02 – 06/30	0	0	0	0
07/01 – 08/01	64	58	52	40
08/02 – 09/01	40	36	32	24
09/02 – 10/01	16	14	12	10
10/02 – 11/01	16	14	12	10
11/02 – 12/01	8	7	6	5
12/02 – 12/31	0	0	0	0

PTO ALLOCATIONS

Allocations of PTO balances are input twice per year, January 1st and July 1st. The number of hours granted is determined by the employee's length of service and FTE percent (%) and applied as per the following chart:

Length of Service	January Hours <small>Length of Service @ 1/1/01</small>				July Hours <small>Length of Service @ 7/1/01</small>				Total Hours			
	100%	90%	80%	60%	100%	90%	80%	60%	100%	90%	80%	60%
< 2 years	104	94	84	64	104	94	84	64	208	188	168	128
2 < 6	124	112	99	76	124	112	99	76	248	224	198	152
6 < 9	136	122	109	80	136	122	109	80	272	244	218	160
> 9	144	130	119	88	144	130	119	88	288	260	238	176

**ALLOCATION FOR
STATUS CHANGE**

PTO banks for employees who change their FTE % status between PTO allocations are adjusted up (+) or down (-) according to the following chart:

Status Change Date	FTE % Change (from -> to)					
	100-90% (-) 90-100% (+)	100-80% (-) 80-100% (+)	100-60% (-) 60-100% (+)	90-80% (-) 80-90% (+)	90-60% (-) 60-90% (+)	80-60% (-) 60-80% (+)
01/02 - 02/01	8	18	32	10	24	14
02/02 - 03/01	6	14	24	8	18	10
03/02 - 04/01	4	8	16	4	12	8
04/02 - 05/01	2	4	8	2	6	4
05/02 - 06/01	0	0	0	0	0	0
06/02 - 06/30	0	0	0	0	0	0
07/01 - 08/01	6	12	24	6	18	12
08/02 - 09/01	4	8	16	4	12	8
09/02 - 10/01	2	4	6	2	4	2
10/02 - 11/01	2	4	6	2	4	2
11/02 - 12/01	1	2	3	1	2	1
12/02 - 12/31	0	0	0	0	0	0

**CARRY OVER OF PTO
HOURS**

PTO hours must be used within the fiscal year (January 1st through December 31st) in which they are credited, except in the case of employees who are out on Workers' Compensation leave and are unable to use their PTO hours. In this exception, the employee's PTO hours will carry forward to the next fiscal year.

PTO hours not used by December 31st of each year will be transferred to the eligible employee's Extended Sick Leave (ESL) bank.

**MOVE FROM
ELIGIBLE TO NON-
ELIGIBLE**

If a change in status occurs during the first year of service, resulting in loss of PTO, PTO is not paid at the time of the change of status and all PTO hours are forfeited.

If the change in status occurs after the first year of service, PTO is paid as if the employee was terminating employment.

The ESL bank cannot be accessed during the period of time an employee was in an ineligible PTO status. However, in the event that the employee moves back into a PTO eligible position, the ESL bank will be restored and made available for use (provided the employee completed one [1] year of service prior to the status change.)

HOLIDAY PTO

Employees not scheduled to work on a company-designated holiday will have those hours deducted from their PTO bank.

**PTO PAY UPON
SEPARATION OF
EMPLOYMENT**

Employees who leave the company without completing one (1) year of service will not be eligible for payment for acquired unused PTO hours except where payment is required by law.

Employees who leave the company, who have completed at least one (1) year of service in an eligible PTO position, and who provide and work the proper notice period, may receive payment for credited but unused PTO hours.

Terminating employee PTO pay out is pro-rated based on length of service and the month of termination of employment, unless otherwise specified by state law.

The following charts are used to determine the total PTO hours that the employee has earned. Pay out is calculated by taking this figure and deducting all PTO time taken since January 1st.

Length of Service 1 < 2 Years:

Termination Month	FTE % at Termination			
	100%	90%	80%	60%
January	17	15	14	11
February	34	30	28	22
March	51	45	42	33
April	68	60	56	44
May	85	75	70	55
June	104	94	84	64
July	121	109	98	75
August	138	124	112	86
September	155	139	126	97
October	172	154	140	108
November	189	169	154	119
December	208	188	168	128

Length of Service 2 < 6 Years:

Termination Month	FTE % at Termination			
	100%	90%	80%	60%
January	20	18	16	12
February	40	36	32	24
March	60	54	48	36
April	80	72	64	48
May	100	90	80	60
June	124	112	99	76
July	144	130	115	88
August	164	148	131	100
September	184	166	147	112
October	204	184	163	124
November	224	202	179	136
December	248	224	198	152

Length of Service 6 < 9 Years:

Termination Month	PTO at termination			
	100%	90%	80%	60%
January	22	20	18	14
February	44	40	36	28
March	66	60	54	42
April	88	80	72	56
May	110	100	90	70
June	136	122	109	80
July	158	142	127	94
August	180	162	145	108
September	202	182	163	122
October	224	202	181	136
November	246	222	199	150
December	272	244	218	160

Length of Service ≥ 9 Years:

Termination Month	PTO at termination			
	100%	90%	80%	60%
January	24	21	19	15
February	48	42	38	30
March	72	63	57	45
April	96	84	76	60
May	120	105	95	75
June	144	130	115	88
July	168	151	134	103
August	192	172	153	118
September	216	193	172	133
October	240	214	191	148
November	264	235	210	163
December	288	260	230	176

Employees who leave the Company and who have used more PTO hours than what they have earned may have the excess PTO hours deducted from their last paycheck, except where prohibited by law.

NOTE: PTO levels may differ somewhat based upon state or collective bargaining agreements. Refer to your Site Manager for specifics.

3.2

PREMIUM PAY DAYS

Correctional Medical Services will pay eligible employees who work on designated holidays at the rate of 1½ times their regular rate of pay. Regular rate of pay is defined as the employee's base rate of pay, plus shift differentials, if applicable.

Eligible employees are defined as those individuals working on a schedule consisting of full-time, part-time, and PRN.

Eligible positions for Holiday Premium Pay will be determined by the Site Manager based upon the individual staffing requirements for the facility for each company-designated holiday.

<i>Name of Holiday</i>	<i>Definition of Holiday</i>
New Year's Day	December 31 (3 rd Shift) January 1 (1 st Shift) January 1 (2 nd Shift)
Memorial Day	The last Monday in May, defined as: ▪ Monday 1 st Shift ▪ Monday 2 nd Shift ▪ Monday 3 rd Shift
Independence Day	July 4 (1 st Shift) July 4 (2 nd Shift) July 4 (3 rd Shift)
Labor Day	The first Monday in September, defined as: ▪ Monday 1 st Shift ▪ Monday 2 nd Shift ▪ Monday 3 rd Shift
Thanksgiving Day	The fourth Thursday in November, defined as: ▪ Thursday 1 st Shift ▪ Thursday 2 nd Shift ▪ Thursday 3 rd Shift
Christmas Day	December 24 (3 rd Shift) December 25 (1 st Shift) December 25 (2 nd Shift)

3.3**EXTENDED SICK LEAVE**

Employees, depending on their status, will be credited with Extended Sick Leave (ESL) hours on January 1st of each year according to the follow schedule:

Type of Employee		Extended Sick Leave Hours Credited on January 1 st of Each Year
Full-Time		24 Hours
Part-Time	39 – 36 Hours	21 Hours
	30 – 35 Hours	19 Hours
	24 – 29 Hours	16 Hours

ELIGIBILITY

In order to access the Extended Sick Leave bank, an employee must be on:

1. An approved leave of absence under the provisions of the Family and Medical Leave Act (FMLA) and have completed the initial three (3) day waiting period;
2. An approved non-FMLA Medical Leave of Absence (see Section 3.4 Medical and Family Leaves of Absence) and have exhausted the use of all PTO hours

ADDITIONAL HOURS

ESL hours are not credited throughout the year. They are only credited on January 1st of each year. On December 31st of each year, unused PTO hours will be transferred to the eligible employee's ESL bank.

SEPARATION OF EMPLOYMENT

Hours in the Extended Sick Leave Bank are *not* paid upon separation of employment.

MEDICAL AND FAMILY LEAVES OF ABSENCE

CMS provides employees two types of Family/Medical leaves, which differ on eligibility requirements and reasons for requesting the leave. Any employee may apply for a medical leave of absence due to a qualifying medical condition. An unpaid medical leave of absence, upon proper application and certification of a qualifying medical condition by a physician, may be granted. The granting of the leave, and its duration, will be determined on a case by case basis to provide a reasonable accommodation to the employee.

FAMILY/MEDICAL LEAVE ACT

Family/Medical Leave Act (FMLA) requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for CMS at least one year, and worked 1,250 hours over the previous 12 months (exclusive of workers' compensation time off.)

FMLA REQUIREMENTS

To apply for FMLA, the following requirements must be met:

- ↳ Employee must have completed one (1) full year of service
- ↳ Employee must have worked at least 1,250 hours in the preceding twelve (12) months

NOTE: Eligible employees must be *active* at the time FMLA is applied for, in addition to meeting the above requirements.

FMLA REASONS FOR LEAVE

According to the FMLA Act of 1993, leave must be granted for any of the following reasons:

- ↳ To care for the employee's child after birth, or placement for adoption or foster care;
- ↳ To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- ↳ For a serious health condition that makes the employee unable to perform the employee's job.

**FMLA ADVANCE
NOTICE AND
MEDICAL
CERTIFICATION**

CMS requires employees to provide advance leave notice and medical certification. Taking leave may be denied if requirements are not met:

- ✧ The employee ordinarily must provide thirty (30) days advance notice when the leave is "foreseeable."
- ✧ Medical certification is required to support a request for leave because of a serious health condition, and may require second or third opinions (at the employer's expense) and fitness for duty report to return to work.

**FMLA BENEFITS AND
JOB PROTECTION**

The benefit and protection to active eligible employees on FMLA are as follows:

- ✧ For the duration of FMLA leave, the employer must maintain the employee's health coverage under any "group health plan."
- ✧ Upon return from FMLA leave, employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. (Some exclusions apply. Consult with Human Resources as necessary.)
- ✧ The use of FMLA leave cannot result in the loss of any employment benefits that accrued prior to the start of an employee's leave.
- ✧ Employees taking FMLA leave due to the birth, placement, or adoption of a child must take all FMLA leave in a single time block. Employees taking FMLA leave for any other purpose may take it in no less than one (1) hour increments.

NOTE: If during FMLA the employee is not receiving a regular paycheck, medical, dental, vision, and optional life insurance will continue uninterrupted if the employee makes the required contributions by submitting a personal check to the Benefits Department.

Use of the FMLA leave, for any reason other than that for which it was approved, will result in termination.

PAY WHILE ON FMLA

An eligible employee's pay while on FMLA will be administered as follows:

1	Three (3) days of Paid Time Off (PTO) (24 hours) NOTE: If the employee does not have any PTO available, then the first three (3) days of leave would be unpaid.
2	Extended Sick Leave (ESL) Hours To be used until exhausted beginning on the fourth (4) day of leave.
3	Remaining PTO Hours To be used until exhausted.
4	Short Term Disability Benefits To be used for an employee's own personal illness only, if eligible.

MEDICAL LOA

The Medical Leave of Absence (LOA) may apply if the employee is not eligible for leave under the federal FMLA provisions. In order to qualify for this Non-FMLA medical leave, Full-Time Regular employees (40 hours per week) who have completed the probationary period but have been employed less than one year may be eligible for a Medical Leave of Absence for a personal medical condition. A Medical LOA, upon proper application and certification of a medical condition by a physician, may be granted for a period not to exceed a maximum of twenty-eight (28) calendar days (including any accumulated time-off benefits collected) within the benefit year.

**MEDICAL LOA
REQUIREMENTS**

To apply for Medical Leave of Absence, the following requirements must be met:

- ↳ Employee must have completed the probationary period (first 90 days) but less than one (1) year of service
- ↳ Employee must be full time (40 hours per week)

**MEDICAL LOA
REASONS FOR LEAVE**

CMS may grant Medical Leave for a serious health condition that makes the employee unable to perform his/her job.

**MEDICAL LOA
ADVANCE NOTICE
AND MEDICAL
CERTIFICATION**

CMS requires employees to provide advance leave notice and medical certification for the Medical Leave of Absence benefit. The leave of absence request must be in writing and include a requested starting and ending date. The application must include a statement of medical condition from the employee's physician that indicates the reason for the medical condition, the date the medical condition began, and an estimated return to work date. Taking leave may be denied if requirements are not met.

- ↳ The employee ordinarily must provide thirty (30) days advance notice when the leave is "foreseeable."

- ↳ Medical certification is required to support a request for leave because of a serious health condition, and fitness for duty report to return to work.

MEDICAL LOA BENEFITS

The benefit to active eligible employees requesting a Medical Leave of Absence is time off for up to a maximum of twenty-eight (28) calendar days within the benefit year. Qualified employees with a disability will be considered for an extension in Medical Leave of Absence where such would be a reasonable accommodation. Healthcare, dental, vision, and optional life insurance coverage will remain in effect during any approved leave of absence *provided that the employee makes all required employee contributions on a timely basis.*

Employees who are ineligible for FMLA and need a leave of absence for maternity reasons should contact the Human Resources Department.

PAY WHILE ON MEDICAL LOA

An eligible employee's pay while on Medical LOA will be administered as follows:

1. Paid Time Off (PTO): *Until exhausted.*
2. Extended Sick Leave (ESL): *Until exhausted.*

RETURN FROM MEDICAL LOA

An employee who does not return as scheduled at the end of any approved leave of absence is considered to have voluntarily resigned. Evidence of other employment during any approved leave of absence will also be interpreted as a voluntary resignation. Prior to resuming duties, the employee must present a medical release from their physician releasing the employee to regular duties.

There is no job guarantee during a non-FMLA Medical Leave of Absence. An effort will be made to hold an employee's position during the absence. CMS' ability to do this depends upon a number of factors, including the nature of the position, contractual staffing requirements, and patient care needs.



TO APPLY FOR FMLA FAMILY AND MEDICAL LEAVE OR A MEDICAL LEAVE OF ABSENCE

Employees must notify their immediate supervisor of any time required away from work resulting from a non-work related injury or illness, serious personal health condition, serious health condition of a spouse, child, or parent, or birth or adoption of a child. The supervisor is responsible for advising the Human Resources Department.

The employee is required to provide at least thirty (30) days advance notice before the leave begins if the leave is foreseeable. If the leave is unexpected, the employee is required to give notice as soon as possible, generally within one or two workdays of when the need for the leave becomes known to the employee.

FORMS

The employee should complete a *Request for Leave of Absence* application form and a *Certification of Healthcare Provider* form obtained from the Site Manager. The Site Manager then approves/denies the request for leave. After approving the leave, the Site Manager then faxes the forms to the CMS Central Office Human Resources Department.

NOTE: Requests for FMLA Family and Medical Leave or a Medical Leave of Absence *must* be in writing on the applicable forms and include requested starting and ending dates.

The certification statement from the physician for a leave of absence to care for your own illness/injury or that of a family member must contain the following information:

- ✦ The date the serious health condition began
- ✦ The duration of the condition (i.e., estimated length of the leave)
- ✦ A diagnosis
- ✦ If applicable, the medical reasons verifying the need for intermittent leave or a reduced work schedule, such as scheduled dates for treatment(s)

PERIODIC UPDATES

Depending on the length of the medical condition of the employee or the family member, the employee may be required to submit updated physician statements on a periodic basis. CMS reserves the right to have the serious health condition of the employee or the family member confirmed by a health care provider of its choice at Company expense. A binding third opinion may be obtained at Company expense from a health care provider jointly selected by the Company and employee.

PERSONAL LEAVE OF ABSENCE

Regular full-time employees who have completed at least ninety (90) days of employment are eligible to apply for a leave of absence for a serious personal reason. A Personal Leave of Absence may be granted for up to ten (10) working days.

The employee must put the reason(s) for the personal leave of absence *in writing* along with the expected time away from work. The leave must be approved by the employee's supervisor and the Human Resources Department. A personal leave is unpaid and is usually granted only after an employee has exhausted their PTO and needs additional time off for an extenuating situation.

3.6

MILITARY LEAVE OF ABSENCE

All employees who work a regular schedule are eligible to take a military leave of absence because of "Service" in the Uniformed Services as outlined under the Uniformed Services Employment and Re-employment Rights Act (USERRA).

"Service" in the uniformed services means duty on a voluntary or involuntary basis for any duty.

MILITARY LEAVE REQUIREMENTS

To apply for military leave the following requirements must be met:

- I. An employee must provide verbal or written advance notice of a request for leave of absence under the provisions of the USERRA.
- II. A returning service member must provide advance notice to his/her supervisor who will notify the Human Resources Department of the request to return to work.
- III. The employee must seek to return to work or reapply for re-employment within the USERRA's guidelines, which are:
 - A. Less than 31 days - the employee must report to work by the beginning of the first regularly scheduled workday that would fall eight hours after the employee returns home.
 - B. Service of 31 to 180 days - an application for re-employment must be submitted within 14 days after completion of service.
 - C. Service of 181 days or more - an application for re-employment must be submitted no later than 90 days after completion of service.
 - D. Disabled veterans are given an additional two years to return to work.
 - E. Re-employment rights will not apply if the military leave exceeds five (5) years. *(The two-week annual training sessions and monthly weekend drills mandated by statute for reservists and National Guard members are exempt from the five-year limitation.)*

BENEFITS DURING MILITARY LEAVE

- ↳ Employees who take a leave of absence under the USERRA will have a right to exercise the COBRA continuation privileges for medical, dental, and vision coverage.
- ↳ CMS will comply with the regulations in effect, which govern the Retirement Savings Plan and its provisions. For vesting purposes, each period of leave under the USERRA will be considered as plan service when the employee is re-employed.
- ↳ The provision of Life and Accidental Death and Dismemberment insurance, Long-Term disability insurance and Voluntary Life Benefits will be governed by the contracts in effect with the carriers, unless the contracts are in direct conflict with the USERRA.

- ☛ CMS will restore all benefits based upon seniority as if the employee had remained on the job.
- ☛ For non-seniority based benefits, CMS will treat service members no less favorably than any other employee on a leave of absence for non-military reasons.

**PTO DURING MILITARY
LEAVE**

The employee may elect to use accumulated Paid Time Off (PTO) during a military leave of absence or request the leave as unpaid.

FUNERAL LEAVE

Regular full-time employees (40 hours) are eligible for leave should a death occur in an employee's immediate family, such as a spouse, child or step-child, parent or step-parent, sister or sister-in-law, brother or brother-in-law, grandparent, grandchild, mother-in-law, father-in-law, son-in-law, daughter-in-law, or relative permanently residing with the employee. Leave of three (3) days paid time off is given to the employee.

In the case of another close relative, such as an aunt, uncle, niece, nephew or cousin, the employee receives one (1) day paid time off, if needed, to attend the funeral services if he/she is scheduled to work.

In these difficult times, additional days off may be needed depending on the circumstances. In this situation, or if the relative is not an immediate or close family member listed above, employees are urged to either request use of Paid Time Off or request a personal leave of absence (see Section 3.5, Personal Leave of Absence). Please discuss this with your supervisor should the need arise.

Funeral leave does not count as hours worked for purposes of determining eligibility for overtime pay.

JURY DUTY

Employees will be granted time off if summoned for jury duty, including jury selection.

CMS will pay regular full-time and part-time employees the difference between what the employee receives as jury pay and what the employee would have earned *excluding shift differential and overtime* for regularly scheduled hours missed, up to a maximum of two (2) weeks (10 days).

If you are summoned for jury duty, you must notify your supervisor immediately. To be eligible to receive the difference between your regular pay with CMS and the pay you received for your jury service, you must attach a statement from the court documenting the days served and the money received for serving jury duty. (Any allowance for mileage or meals paid by the court will *not* be included in the calculation of the money paid by CMS.) Documentation should be provided to the Site Manager for submission to the Payroll Department.

In the event you are called to serve on a jury that lasts more than two weeks, you may request to use accumulated but unused PTO in order to be paid for this time.

You must keep your supervisor apprised on a daily basis of the status of your jury service.

TUITION ASSISTANCE

The Tuition Assistance Program is intended to assist employees in obtaining education and skills needed in their current job or those jobs into which they may reasonably be expected to advance.

ELIGIBILITY REQUIREMENTS

Full-time employees and regular part-time employees who are consistently scheduled to work at least 30 hours per week who wish to take educational courses to improve their skills are eligible to apply for tuition reimbursement after 90 calendar days of uninterrupted employment.

To be eligible for reimbursement, the following conditions must be met:

1. Employees must be in good standing and performing at an acceptable level. An exception will be made for employees receiving less than a fully attains rating who are directed by their supervisor to take a course to improve skills required to do their job.
2. Application for tuition assistance must be made on the *Request for Tuition Assistance Application* form. (This form may be obtained from your Site Manager.)
3. Approval must be obtained from the Site Manager a minimum of seven (7) days prior to the start date of the course.
4. Within thirty (30) days after completion of the course, the employee must submit a request for reimbursement of the pre-approved class on the *Request for Tuition Assistance Reimbursement* form. (This form may be obtained from your Site Manager.)

Any employee who terminates employment before completing an approved course will not be eligible for reimbursement.

ELIGIBLE COURSES

The Tuition Assistance Program is only applicable to courses taken through a college, university, or technical school that has received accreditation by an approved accrediting organization as recognized by the U.S. Secretary of Education and the Council of Higher Education Accreditation (CHEA) at www.chea.org.

The types of courses or programs eligible for reimbursement include:

- ✧ Individual courses taken for credit that pertain directly to an eligible employee's current position or to a position in which the employee may reasonably be expected to advance.
- ✧ Associate Degree and Bachelor's Degree Programs (AA, AS, BA, BS Degrees) that relate directly to the employee's current job or those jobs into which the employee may reasonably be expected to advance.
- ✧ Advanced Degree Programs (MA, MS, MBA Degrees) that relate directly to the employee's current job or those jobs into which the employee may reasonably be expected to advance.
- ✧ Distance Learning and Correspondence courses that grant degrees and have been accredited by an organization recognized by the Council of Higher Education Accreditation (CHEA) provided that: the course(s) is graded with a letter grade; and the course(s) is part of the required curriculum for associates, bachelors, or masters programs.

GRADE REQUIREMENTS

To be eligible for reimbursement, a minimum grade of "C" for an undergraduate course or "B" for graduate courses must be earned. Courses or programs indicated as "Pass/Fail" and not receiving a letter grade will not be reimbursed. Courses or programs receiving an "incomplete" will be reimbursed only after the necessary letter grade is achieved, provided that:

- ✧ The employee has not transferred into an ineligible position; and,
- ✧ The letter grade is received/obtained within the next traditional semester (that the class is offered) according to the school's calendar.

REIMBURSEMENT

Reimbursement will be limited to two (2) courses per traditional academic semester, (e.g. Fall, Spring, and Summer), and a total of six (6) courses per traditional academic year. A maximum total reimbursement of \$1,800 per traditional academic year, calculated on when the reimbursement is paid out (e.g. Fall, Spring, and Summer semesters), is available to eligible employees.

Reimbursement is based upon the Grade received, as follows:

<u>Amount of Reimbursement</u>	<u>Undergraduate Grade</u>	<u>Graduate Grade</u>
100% of Tuition Costs	C- or better	B- or better
-0-	D+ or worse	C+ or worse
-0-	Pass -or- Credit	Pass -or- Credit

Tuition assistance reimbursement will be provided for *tuition costs only* for approved courses/programs. Paid receipts must clearly reflect tuition costs and must match the cost of tuition as indicated in the institution's materials, noting the cost for courses per credit hour.

NON-REIMBURSABLE ITEMS

Tuition assistance reimbursement will **not** be provided for the following:

- ↳ Books or manuals
- ↳ Fees of any kind, e.g. activity, lab, library, registration, application, etc.
- ↳ Services of any kind, e.g. parking, student, technology, general, etc.
- ↳ Materials of any kind, e.g. lab kits, computers, etc.

APPLICATION APPROVAL

All requests for tuition assistance must be made in advance on the *Request for Tuition Assistance Application* form. Applications must be signed by the appropriate supervisor and/or Site Manager prior to the start of the course(s). Signed applications will be returned directly to the employee, and must be held by the employee for the purpose of requesting course reimbursement. Courses denied approval by the Site Manager may be appealed to the next level of CMS management, where a determination will be final and binding.

DOCUMENTATION REQUIREMENTS

Within thirty (30) days following completion of a course, the employee is responsible for submitting to the Site Manager:

1. Proof of final grade;
2. A valid receipt showing payment of tuition, clearly identifying tuition only costs;
3. Proof of educational facility's cost per credit hour, to verify total tuition costs;
4. The original signed *Request for Tuition Assistance Application* form with the Site Manager's signature;
5. A completed employee expense report form, indicating the amount for reimbursement; and
6. The completed *Request for Tuition Assistance Reimbursement* form with appropriate signatures.

Upon verification of the expense report and appropriate attachments, the Site Manager and employee will submit the expense report form and appropriate attachments to the CMS Accounts Payable Department for regular processing, according to Policy. The completed expense report *must include the following originals*:

- ↳ Paid tuition receipt (No. 2 above); and
- ↳ Signed and completed *Request for Tuition Assistance Reimbursement* form (No. 6 above).

Expense reports must be clear, legible, accurate, signed, and on an original CMS expense report form. No other expenses are to be included on the expense report form other than tuition assistance reimbursement requests. If the employee has additional expenses that fall under allowable employee expenses for non-tuition related items; the employee must complete a separate expense report form.

Proof of final grade, proof of educational facility cost per credit hour, and the *Request for Tuition Assistance Application* form do not need to be attached to the employee expense report form.

Employees are required to make and keep a copy of all material submitted to the CMS Accounts Payable Department. The CMS Accounts Payable Department is responsible for forwarding the reimbursement check to the employee.

NON-ELIGIBLE COURSES

The Tuition Assistance Program is not intended to reimburse employees for courses outside of current business practices for approved graduate and undergraduate programs. Tuition assistance is not intended to reimburse employees for courses which grant continuing education units (CEUs), courses to complete or renew professional certification requirements, or seminars and training programs outside of accredited higher education institutions. The Tuition Assistance Program will not reimburse employees for courses related to GED or other high school equivalency programs; and advanced doctoral programs, such as Ph.D. or Ed.D programs higher than a Master's degree. Courses indicated as college "audit" classes or other courses where credit may be given for previous education obtained will not be reimbursed.

TAXATION

Tuition assistance payments received by employees may be considered as taxable income, depending on circumstances, and subject to normal income withholding.

3,10

EMPLOYEE ASSISTANCE PROGRAM

CMS recognizes personal problems can affect an employee's work performance. Employees are encouraged to take constructive action to resolve personal problems before work performance is affected.

To assist employees and their immediate families with the resolution of personal problems, CMS has a contractual agreement with Life Phases, a Unum Insurance Company Life Balance Program, to provide confidential prepaid personal consultation to employees and their immediate families.

Regular full-time and part-time employees scheduled to work 30 hours or more per week and their eligible dependents may obtain this professional assistance through the employee support services program in the following ways:

- ↳ *Self referral (call in)*
- ↳ *Supervisor recommendation*
- ↳ *Supervisor mandatory referral*

The following procedures are designed to facilitate these types of referrals:

SELF REFERRAL

An employee or family member who desires confidential assistance for a personal problem should call toll-free, 1-800-854-1446. An experienced consultant answers every call.

Upon employment, you will receive a packet of information on Life Phases Life Balance and the *Universal Access Card* with Life Balance phone numbers listed. Life Balance provides you with information on a wide range of topics/issues including legal and financial issues, older adult and parenting resources, personal and work-related problems, and all the little things that demand your attention each and every day.

Life Balance is a program to help you address life's daily challenges with 24-hour access, seven days a week, and 365 days a year, to professional advice, including face-to-face visits when needed.

An initial assessment will be made by telephone with an expert consultant to help clarify your issue, sort through your options and contact an effective and affordable resource. If further assistance is required by the employee, the consultant can arrange up to three (3) in-person sessions for employees to talk with a counselor.

All communication between the employee and the consultant/counselor will be held in the strictest confidence. Neither the user's name nor the problems discussed are available to CMS unless the employee requests in writing that the Company be notified.

**SUPERVISOR
RECOMMENDATION**

Depending upon the nature of the problem, the supervisor may wish to recommend the employee assistance program to an employee. Such contact by the employee would be handled as a self-referral and no information would be available to the supervisor.

**MANDATORY
SUPERVISOR
REFERRAL**

The basis of a mandatory referral to the employee assistance program by a supervisor must be either:

1. A decline in work performance on the part of the employee, or
2. A particular on-the-job incident or series of incidents which indicates the possible presence of a personal problem.

The supervisor, having established the basis for referral, should contact a Life Balance consultant to discuss the nature of the situation. (Call 800-854-1446 as indicated on the *Universal Access Card*) Life Balance special counselors are available specifically for supervisors. The counselors will guide the supervisor in the appropriate recommended option of assistance for the employee. The supervisor will arrange a telephonic meeting between the employee and an appropriate Life Balance contact.

The employee is required to keep the appointment and follow through on the recommendations. Failure to do so will result in the employee not being able to return to work until such time that the above requirement is met. Continued failure to do so may subject the employee to further corrective action up to and including termination.

The only information about the meeting that will be shared with the supervisor is whether the employee kept the scheduled appointment.

CONFIDENTIALITY

An employee or family member's usage of the employee assistance program remains strictly confidential. Neither the user's name nor the problems discussed are available to CMS. We believe your confidentiality is of paramount importance and the program is designed to protect it.

WORKER'S COMPENSATION

CMS pays insurance premiums to ensure that all employees are covered by the Worker's Compensation insurance policy as required by the state in which they work. Workers' Compensation pays a percentage of an employee's weekly wage after a waiting period. State law specifies the percentage of salary to be paid and the waiting period to be met. Worker's Compensation also pays medical expenses related to the injury.

Employees must immediately report any and all workplace injuries, no matter how minor, to their Supervisor prior to the end of the employee's shift. Supervisors must then contact the Injury Hotline at 800-864-2230. Failure to do so could adversely affect an employee's eligibility for Worker's Compensation benefits due to reporting time limits as specified by law.

Additional information is located in the Workers' Compensation / Employee Safety Manual.

3.12

HEALTH INSURANCE PROGRAM**MEDICAL INSURANCE**

Our medical insurance program is designed to protect employees against catastrophically high medical costs and to assist with other expenses related to illness or injury.

CMS will provide managed care networks, where feasible, to employees in specific geographic regions to help control the overall cost of care to the employee and the company.

The health coverage plan is available to regular full time and part time employees who work at least 30 hours per week. Coverage may also be available for the employee's spouse and eligible unmarried children as outlined in the plan documents. The effective date of coverage is the 1st day of the month following 60 days of employment in a benefits eligible position, according to the following chart:

Hire Date (Month/Day)	Hire Date (Month/Day)	Effective Date of
January 1 - January 31	January 2 - February 1	April 1
February 1 - March 2	February 2 - March 2	May 1
March 3 - April 2	March 3 - April 2	June 1
April 3 - May 2	April 3 - May 2	July 1
May 3 - June 2	May 3 - June 2	August 1
June 3 - July 3	June 3 - July 3	September 1
July 4 - August 2	July 4 - August 2	October 1
August 3 - September 2	August 3 - September 2	November 1
September 3 - October 2	September 3 - October 2	December 1
October 3 - November 2	October 3 - November 2	January 1
November 3 - December 3	November 3 - December 3	February 1
December 4 - December 31	December 4 - January 1	March 1

Employees receive booklets describing the eligibility requirements, waiting periods, and plan features upon employment. Both the employee and the company contribute toward the monthly cost of the coverage.

IMPORTANT NOTE: It is to an employee's advantage to request enrollment during the initial eligibility period. Employees requesting enrollment after this period may only enroll during the Annual Enrollment period or if they have a change in family status.

**ENROLLMENT
REQUIREMENTS**

Applications for enrollment must be received in the CMS Central Office Benefits Department within 30 days of hire in a benefits eligible position. If an application is received more than 30 days after the effective date of coverage, it will be treated as a late enrollment and coverage will be denied.

An employee's next opportunity to enroll will be during the annual open enrollment typically held in November of each year with a January 1 effective date, or upon the employee's change in family status.

PHARMACY

Participants in the CMS Employee Medical Plan are eligible for the prescription drug plan. Employees will receive a prescription drug card to be used to purchase covered medications from participating pharmacies. The Retail Pharmacy program is for acute care medications up to a 30-day supply. The Mail Order program is for long-term maintenance medications and for medications requiring more than a 30-day supply.

Retail purchases are subject to a nominal annual deductible per person, and then co-insurance applies. The Mail Order plan does not require a deductible to be paid. Co-payments apply in various levels for generic, preferred, and non-preferred brand medications according to the plan.

DENTAL INSURANCE

Employees who are eligible to participate in the Medical Plan are also eligible to participate in the Dental Plan. Through a comprehensive program of diagnostic, preventive, basic and major benefits, the dental plan encourages employees to maintain proper dental health and provides assistance when more extensive services are needed.

VISION SERVICES

Regular full-time and part-time employees working at least 30 hours per week are eligible to participate in the vision services plan. The eye care plan is available through participating Vision Services Plan (VSP) providers.

The VSP provides for regular eye exams, lenses, and designated frames at a nominal cost to employees. Provisions and frequency limits are outlined in the plan documents.

Employees who wish to participate in the VSP must enroll for a two-year commitment, which is outlined in the material you will receive upon hire.

Please contact the CMS Benefits Department if you have any questions or need assistance in utilizing your health, dental, or vision insurance benefits.

NOTE: Eligibility requirements and enrollment procedures for Dental Insurance and Vision Services are the same as for Medical Insurance. Employees have the ability to enroll in one, all, or any combination of the health benefits offered. (Medical, Dental and/or Vision.)

3.13

LIFE/AD&D INSURANCE

CMS provides company-paid life and accidental death and dismemberment (AD&D) insurance to all regular full-time and part-time employees who work at least 30 hours per week.

Employees receive booklets describing the waiting periods, eligibility requirements, and coverage levels of the plan upon employment.

OPTIONAL LIFE INSURANCE

Optional voluntary life insurance is available to full-time and part-time employees who work at least 30 hours per week who wish additional coverage for themselves and/or their eligible dependants. Employees who waive the voluntary life insurance coverage during their initial eligibility period must provide evidence of insurability and be approved by the insurance carrier when choosing to enroll in or increase coverage at a later date. Coverage under the voluntary life insurance program is not effective until approved in writing by the insurance carrier.

Information on coverage limits and bi-weekly premiums is included in the *Health and Life Booklet*. Employees will receive a Summary Plan Description on optional life insurance once enrolled in the plan.

3.14

**SHORT TERM
DISABILITY (STD)****DISABILITY INSURANCE**

All regular full-time employees (40 hours per week) are eligible for Short Term Disability (STD). STD is a partial continuation of an individual's regular base rate of pay and is paid directly by the company. This benefit is meant to bridge the gap between the onset of illness or accident and the start of Long Term Disability (LTD). Proof of medical disability as defined by the plan is required to receive this benefit. Employees receive booklets describing the waiting period, eligibility requirements and benefit level when employed.

All full-time regular employees who have completed one (1) year of continuous employment are eligible to participate. One (1) day of STD benefit is granted for each full month of service. Employees entering the plan will have a minimum of 12 days to a maximum of 40 days based on length of service. The benefit amount is 60% of an employee's base rate of pay. STD payments may begin only after all PTO and Extended Sick Leave has been exhausted. Employees may apply for the benefit after they have received approval for a medical leave of absence. (Refer to Section 3.4, Medical and Family Leaves of Absence)

Employees do not accrue time toward the initial eligibility requirement nor do they earn additional time off benefits while on leave of absence.

NOTE: Two or more periods of disability separated by the employee's normal work schedule for a period of less than three (3) months will be considered a continuation of the same benefit.

Employees who are covered under a short-term disability plan provided by state statute will have the amount of STD payments from CMS reduced by the gross amount of the state benefit.

**LONG TERM
DISABILITY (LTD)**

Company-paid or employee-paid Long Term Disability (LTD) insurance is provided for all regular full-time and part-time employees who work at least 30 hours per week.

The LTD plan provides employees with partial compensation after a waiting period of 180 consecutive days of total disability due to illness or injury. The plan, together with other benefits for which an employee may be eligible (e.g. Social Security disability benefits), will provide a total of 60% of an employee's monthly base rate of pay up to a maximum benefit of \$10,000 per month.

Employees are given the opportunity to make a one-time election to pay the premium for long term disability coverage during their initial eligibility period, or choose the company-paid option. Employees receive booklets describing the waiting period, eligibility requirements, and benefit level of the plan when employed.

3.15

401K PLAN**SUPPLEMENTAL
RETIREMENT PLAN****RETIREMENT SAVINGS PLANS**

Retirement years are enjoyed most when employees have planned and prepared for them. CMS offers employees the opportunity to start long-range preparation for retirement years through participation in the 401(k) Retirement Plan or the Supplemental Retirement Plan.

Employees accumulate money in the Plan through:

- ↳ *Pre-Tax Payroll deductions*
- ↳ *Annual Company contributions*
- ↳ *Investment income (interest)*

Benefits are paid upon retirement, disability, death, or separation from the Company.

Employees receive information upon employment regarding the waiting period, eligibility requirements, vesting, and plan structure for the particular Retirement Plan for which they qualify. Please contact the CMS Benefits Department if you have any questions about the Plan.

SOCIAL SECURITY

CMS contributes an amount equal to each employee's deduction for Social Security (FICA) until the yearly maximum level is reached. For those employees reaching retirement age, it is a good practice to check with the Social Security Administration office every few years to inquire as to the status of their accounts. **Send inquiries to:**



Security Administration
PO Box 57
Baltimore, MD 21203

It is also imperative that employee Social Security Numbers (SSN) and birth dates reported by our Payroll Department to the IRS are accurate in order to avoid loss of credited earnings in employee's accounts and extensive red tape in correcting the resultant problems. Check the name and social security number printed on your check stubs for accuracy and report any errors to the CMS Payroll Department immediately.

3.16

MISCELLANEOUS EMPLOYEE BENEFITS

FLEXIBLE SPENDING ACCOUNTS

CMS full-time and regular part-time employees working at least 30 hours per week may choose to participate in one of two (2) flexible spending accounts.

HEALTHCARE FSA

Eligible employees may choose to participate in the healthcare flexible spending account for eligible expenses not covered under the health insurance plan. Healthcare Spending Accounts allow employees to save on a pre-tax basis for eligible health care expenses, thereby avoiding taxes and reducing taxable income. Annual minimum and maximum contributions apply. Contributions are made in equal amounts from the employee's paycheck. This tax savings plan covers things such as doctor's office visits and eligible employee co-payments.

NOTE: In accordance with IRS guidelines, employees should choose contribution amounts carefully to avoid forfeiture of unused funds in their account at the end of the plan year.

DEPENDENT CARE FSA

Eligible employees may choose to participate in the dependent care flexible spending account, a tax savings plan, where an employee may set aside a designated amount each pay period on a pre-tax basis for reimbursement of eligible, paid dependent care expenses. Annual minimum and maximum benefit amounts apply. Contributions are made in equal amounts from the employee's paycheck.

NOTE: In accordance with IRS guidelines, employees should choose contribution amounts carefully to avoid forfeiture of unused funds in their account at the end of the plan year.

For additional information on flexible spending accounts, contact the CMS Benefits Department.

DAY CARE

All CMS employees are eligible from their date of hire for a discount at participating *Children's World Learning Centers*. Locations and participation vary by state.

DIRECT DEPOSIT

All regular CMS employees may elect direct deposit of their payroll check into their personal account(s), provided the banking institution is a member of the Automated Clearing House. Complete the *Direct Deposit Form* available from your Site Manager.

SECTION

4

SITE HUMAN RESOURCES

**EMPLOYEE RESPONSIBILITIES
AND GUIDELINES**

4.1

CONFIDENTIALITY

CONFIDENTIALITY

As an employee of CMS, you are exposed to information concerning patients, as well as institution and company activities, that must be held in strict confidence. Any information concerning a patient's condition, care, treatment or personal data is considered confidential and may not be discussed with anyone other than those directly responsible for the patient's care and treatment.

Employees also have a duty to maintain the confidentiality of business information. Any unauthorized dissemination of business information may result in corrective action up to and including termination.

A breach of confidence, in addition to being unethical, may involve you, the institution, and CMS in legal proceedings. Violation of this policy may result in immediate corrective action, up to and including termination.

11/15/01

4.2

EMPLOYEE AND COMPANY INFORMATION**IDENTIFICATION**

Name badges are provided for employees. You must wear your name badge at all times while on duty. If you work in an area where wearing a name badge may not be advised, follow your supervisor's direction with respect to identification. Your institution may have additional policies regarding identification.

**CHANGE OF
INFORMATION**

Please inform your Supervisor of any change in the following information:

- Name *(A copy of the employee's Social Security Card indicating the name change must be provided.)*
- Address
- Telephone Number
- Marital status *(A copy of the marriage license must be provided.)*
- Dependent status
- Emergency contact information

This information must be kept up-to-date for payroll and insurance billing purposes.

4.3

EMPLOYEE WORKING AREAS

NO SMOKING AREAS

Smoking is allowed only in designated areas. It is not allowed in patient areas or where oxygen is stored or in use. Each institution will designate specific areas in which smoking is permitted. You must observe your institution's policies regarding smoking.

SAFETY

The employee's safety and well being are of primary concern to the Company. Efforts are constantly being made to assure that accident prevention is a primary consideration in every facility operation.

Each employee will be responsible to ensure the ultimate success of their safety program and the prevention of injuries to themselves or their co-workers through safe work practices. Employees should immediately report any unsafe conditions within their working environment to their Supervisor or Site Manager.

All employees should avoid potential accidents by not operating malfunctioning equipment or lifting or pushing extremely heavy objects. Request assistance and/or repair of equipment from your Supervisor or Site Manager.

In addition, all accidents or injuries must be reported to the employee's Supervisor immediately. The Supervisor then fills out an accident report and files the report with the insurance company.

An employee's non-compliance with safety rules, regulations and procedures is subject to the Company's corrective action policy.

GOOD HOUSEKEEPING

To help keep all working areas neat, employees are responsible for clearing and cleaning their work areas before leaving at the end of their shift. Eating in work areas or patient care areas is prohibited. Employees are encouraged to help keep the break rooms, coffee stations, rest rooms, conference rooms, and other public areas neat and clean.

4.4

APPEARANCE AND
CONDUCT

EMPLOYEE RESPONSIBILITIES

You represent CMS in your day to day contact with patients and institution employees. It is important that you are appropriately and neatly dressed for your type of work, properly groomed (including personal hygiene), and that you conduct yourself in a courteous and dignified manner.

We recognize that most employees will dress according to accepted standards of modesty, dignity and plain good taste. Wearing apparel must be clean, fit properly and not be of extreme design or fashion.

Some job classifications may require that employees wear uniforms while on duty.

Your Site Manager may make a more detailed application of these guidelines. In all cases, these general guidelines must be observed.

REPORTING FOR
WORK

If you are unable to report for your scheduled shift you must inform your Supervisor prior to the start of your shift and inform him/her of the reason and when you will report to work. Your site may have a specific policy outlining the amount of advance notice you must give when reporting off or late.

If you are ill, and will be absent for more than one day, you should also inform your Supervisor of approximately how long you expect to be off work. If you are off more than one day, you are expected to call your Supervisor daily unless other arrangements have been made.

Absenteeism creates an unusually heavy burden on your fellow employees who must carry your load in addition to their own. Failure to adhere to your site's call in or unexcused absence policies may result in immediate corrective action up to and including termination. Excessive absenteeism or tardiness will be reflected in your performance evaluation and may be cause for corrective action.

CORPORATE
COMPLIANCE

CORPORATE COMPLIANCE PLAN

Each of us in accepting the obligations of our job has accepted certain responsibilities for personally adhering to business principles and conduct contributing to a cooperative professional manner and to cooperate and work effectively with supervisors and other staff. It is CMS' policy and our expectation that employees will comply with all federal, state, and local laws in each jurisdiction in which CMS conducts business, and will behave with integrity and in an ethical manner in the conduct of business.

Employees are responsible for being familiar with and understanding the Business Conduct Policy and the Healthcare Code of Conduct, which are written policies under the Corporate Compliance Plan. The Business Conduct Policy sets forth the principles by which employees are guided in the conduct of Company business. It requires compliance with related federal and state laws, including but not limited to, employment, labor, workplace, environment, antitrust and securities laws. Under the Healthcare Code of Conduct, employees must comply with all applicable laws and regulations which prohibit, among other things, fraud and abuse or illegal kickbacks or inducements, illegal referrals for services, and false claims in coding or billing patient charges.

All applicants are required to sign a copy of the Business Conduct Policy printed on the back of the CMS employment application. Each new employee is provided a copy during orientation. Employees, especially those whose duties are impacted by aspects of the Corporate Compliance Plan, will receive appropriate training and will be required periodically to certify that they have reviewed the policies and are in compliance with all policies regarding business conduct and responsibilities.

An employee who becomes aware of a possible violation of the policy should report the matter to his/her Supervisor, the Human Resources Department, or the Legal Department; OR the employees may call the *Corporate Compliance Hotline*, where their concern can be anonymously reported. The Corporate Compliance Hotline number is (800) 325-3982, ext. 9360.

4.6

ADDITIONAL GUIDELINES

SOLICITATION

CMS has adopted the following policy on solicitation and distribution of materials on institutional or company property:

- ↳ All solicitation is prohibited except when both the person doing the soliciting and the person being solicited are not performing their work tasks. Solicitation is prohibited in patient care areas at all times.
- ↳ Distribution of advertising materials, handbills, and printed or written literature of any kind in work areas is prohibited at all times.
- ↳ Solicitation and distribution of materials on institutional property may be governed by separate institutional rules in addition to those stated above. Further guidelines can be obtained by consulting the specific institution's rules.

BULLETIN BOARDS

CMS provides bulletin boards as a convenient means of communicating important and useful information. The bulletin boards are to be used for official CMS business only. Personal postings, or postings involving outside organizations, are not permitted.

TAPE RECORDING OF CONVERSATIONS

A full and honest exchange of opinions among staff requires trust. Recording of conversations, either by video or tape, undermines that trust. Further, in some states surreptitious recording of conversations is unlawful. CMS prohibits the recording of conversations between and among management and employees, on or off the premises. Violation of this rule requires termination.

ACCESS TO PERSONNEL FILES

Employees may review their personnel files by making a written request to their Site Manager and scheduling an appointment with the Site Manager or his/her designee. Copies of appropriate documents from the employee personnel file will be provided to the employee upon written request. Consistent with state law, employees may be charged a nominal fee for photocopying.

Former employees will not be provided with documents from their personnel files, unless required by state law. In such situations, the former employee should contact the Human Resources Department at 800-325-4809.

CHARITABLE ACTIVITIES

CMS sponsors various charitable events throughout the year, which extend to employees an opportunity to contribute or participate in local or community activities to help those less fortunate.

Employees' support of these events is entirely personal and voluntary.

All non-community based charitable activities must be approved by the respective Division President as appropriate.

SECTION
5

SITE HUMAN RESOURCES
SPECIAL INSTITUTIONAL
CONCERNS

S . 1**INSTITUTIONAL POLICIES**

Your institution has developed specific policies and rules designed to ensure the security and safety of inmates, institutional employees and the public.

You will receive a copy of the institution's rules and procedures. Your complete support in abiding by these policies is expected for your protection as well as others. Your Supervisor should be consulted any time you have a question or concern about the application of institutional policies.

NOTE: Failure to comply with institutional security practices is considered a serious infraction that may result in immediate corrective action up to and including termination.

**SECURITY
STANDARDS**

Due to the special nature of providing health care in the correctional setting, CMS has developed security standards for all of our employees. We have developed these standards to provide direction for you and to help promote and maintain a safe and secure working environment for yourself and others.

These standards have been developed from basic security policies that all individuals working in a correctional facility must observe.

IT IS OF EXTREME IMPORTANCE THAT YOU HAVE KNOWLEDGE OF, AND ADHERE TO, ALL STATED SECURITY STANDARDS.

1. When reporting for duty no employee shall:

- a. Be under the influence of an intoxicant. Intoxicants include alcohol, narcotics, barbiturates, hallucinogenic drugs and central nervous system stimulants.
- b. Bring into the institution, or onto client property, any article that is not authorized by prison administration.
- c. Carry any weapon or any article that has the potential of being used as a weapon. In most institutions this includes glass containers and bottles.
- d. Report to work in clothing that is inappropriate or is not in compliance with the established dress code.

- e. Bring into the institution personal, prescribed medication in excess of the amount that is needed to be taken during your time on duty. Personal medication will be kept in its original container indicating it was prescribed for you by a physician. Prior approval to bring prescribed medication into the institution is required by many institutions. Please consult local regulations before bringing your medications into your institution.

2. While on duty no employee shall

- a. Have personal conversations with inmates or client staff. All conversations with inmates and client staff shall be strictly professional.
- b. Use profane or abusive language.
- c. Abuse inmates in any manner.
- d. Direct inmates to provide direct patient care. Inmates are to be used only as custodians in the hospital area.
- e. Trade, barter, accept a gift from, or present a gift to, an inmate, an inmate's family, or any other person on behalf of an inmate.
- f. Recommend or furnish any advice concerning the legal affairs of any inmate.
- g. Have unauthorized keys to any area of the institution. All authorized keys will be maintained in a secure manner at all times.
- h. Enter restricted areas of the institution without proper authorization.
- i. Use CMS-owned property, or institution-owned property, for personal use or gain.
- j. Use physical force on any inmate except in self-defense, and only to the degree that is reasonably necessary.
- k. Ignore institutional rule infractions committed by inmates. Employees are expected to complete a written report on any infractions involving an inmate. This includes any abusive behavior or language, disrespectful attitude, assaults, and other unusual activities.
- l. Refuse to submit to a personal security search, when requested, by authorized security personnel. This search may also be extended to your personal property and vehicle located on Department of Corrections property.
- m. Provide medical treatment to inmates without proper security present, if required.
- n. Leave un-disposed, or improperly secured, syringes, needles, glass containers or medical instruments. All of these articles will be properly stored by each department to prevent access by inmates.
- o. Obstruct or impede any investigation conducted by the institution or CMS.

3. No employee shall:

- a. Take any article or property belonging to the institution or state, or from state property, without written authorization.
- b. Release any patient care or confidential information to any source or agency without prior approval of CMS and/or institutional administrations. This includes newspapers, radio and television stations, and relatives of inmates.
- c. Have contact of a personal nature with any inmate or inmate's family member. Personal contacts include phone calls, cards, letters, and other types of written communication. All contacts of a personal nature, initiated by an inmate, should be reported immediately to CMS Administration and institution security.
- d. Give an inmate or inmate's family member the date and/or time of any medical appointments outside the institution.
- e. Answer any inquiries by an inmate or inmate's family member, other than for medical reasons. This includes release dates, parole dates, incentive good time, etc.
- f. Answer any and all other inquiries by inmates, but should direct the inmate to Security.

Please remember you are working in a security facility. If you have questions or are in doubt about any policy or procedure, you should consult your immediate Supervisor or facility Security for assistance.

INCARCERATED
RELATIVES/FRIENDS

There are legitimate Company and security issues concerning employees or applicants who have relatives or friends incarcerated at an institution or within the corrections system in which the employee works. The Site Manager is responsible for ensuring that any situation occurring, either prior to or during a person's employment, is properly evaluated. Employees and applicants are responsible for notifying the Site Manager if such a situation exists or occurs. The institution's prevailing policy or practice will be the primary factor guiding any employment decisions.

5.2

LEGAL ISSUES**PROFESSIONAL
LIABILITY
INSURANCE**

Employed health care professionals of CMS who provide medical services on behalf of CMS are covered under CMS' Professional Liability Insurance policy, for lawsuits against them relating to their services. The coverage only applies while the employee is performing services relative to employment with CMS. The limits are \$1,000,000 per occurrence regardless of the number of insured defendants and \$5,000,000 in the aggregate annually. Punitive damage awards as well as intentional acts are excluded from the professional liability insurance. The insured (employee) is expected to cooperate in the defense and/or settlement of all claims as a condition of the policy.

LEGAL MATTERS

As in any health care environment, the possibility exists that civil or professional liability lawsuits will be filed by an inmate that will require investigation and resolution.

As an employee of CMS, your full cooperation is needed in meeting with state or CMS legal counsel, giving depositions, presence at court appearances, and other related activities. Time spent in these matters is considered a regular part of your duties.

SECTION
6

SITE HUMAN RESOURCES
COMMUNICATIONS

6.1

INTERNAL / EXTERNAL COMMUNICATIONS**VERBAL
COMMUNICATION**

CMS management welcomes your suggestions and comments. You are encouraged to make your suggestions known for the betterment of the company, improving patient care, or any aspect of your work. This input can take place in many forms. The two most effective vehicles for communication are:

YOUR SUPERVISOR

Perhaps the most effective form is direct communication with your supervisor. He/She is ready to help if you have issues, concerns, or suggestions about your work or company policies, programs, and benefits.

STAFF MEETINGS

You are also encouraged to actively participate in staff meetings, which are held periodically to keep employees informed of department and company activities, and to allow employees an opportunity to initiate discussion.

**WRITTEN
COMMUNICATION**

CMS distributes information such as job postings and policy updates or changes periodically to the Site Manager via electronic mail for distribution to all employees via the medical unit bulletin boards and/or through staff meetings. Check with your Site Manager on when and how written communication is posted and check this information regularly. The Site Manager and/or Institution may also publish regular communication pieces to keep employees informed of happenings throughout the Company/facility and employee news such as anniversaries, birthdays, upcoming local events, etc.

Employees may also receive direct mailings from CMS to their home regarding information of particular note or importance.

PUBLIC RELATIONS

Because CMS provides services in public venue, attention from all types of media (print, television, and radio) can be expected. In order to assist staff at all levels concerning interaction with the press, we have developed the following guidelines:

Any press/media inquiries to an employee require coordination through the CMS Central Office. Employees should immediately contact their supervisor and the Site Manager for any inquiries from the media. The Site Manager should then indicate to the press/media that it is inconvenient to discuss their questions at this time and offer to get back to them. Request their name, media affiliation, and telephone number. This information request approach will also allow CMS to verify their legitimacy.

§ The Site Manager will contact the appropriate public relations liaison at the CMS Central Office as well as Regional Management concerning the media inquiry. CMS will secure background information in conjunction with the Divisional President, Regional Vice President, or Regional Manager.

§ The Divisional President will determine the appropriate course of action.

It is our philosophy to cooperate with the media, but attention must be given to the sensitivity of the inquiry, potential patient confidentiality considerations, and the facility's policy concerning interaction with the media.

PROBLEMS AND HOW TO SOLVE THEM

Although you may never need a formalized method of presenting a concern or resolving a problem, CMS provides the following guidelines to assure that any issue relating to your working situation may be fully considered. Employees may make a complaint without fear of retaliation.

1. Discuss the problem first with your Supervisor. This will clear any misunderstanding and resolve a majority of the issues.
2. If your immediate Supervisor did not handle the problem to your satisfaction or if the matter is one that you cannot discuss with your Supervisor, you may discuss the matter with your Site Manager.
3. If the problem still has not been resolved to your satisfaction, you may direct a formal written complaint to the Regional Manager or Regional Vice President.
4. If a satisfactory resolution did not occur under step three of this procedure, or you feel the matter cannot be discussed with your Site/Regional Manager, you may direct a complaint to the Human Resources Department in St. Louis. The Human Resources Department will consult with the Site Manager and other parties involved in an attempt to resolve the problem.
5. If you are still not satisfied with the resolution of the problem, you may submit a written appeal to the Divisional President. The Divisional President will discuss the situation with the appropriate parties and a final decision on the matter will be made at this level.

All of us may have a need to air our concerns and seek fair solutions. The fact that you have a problem to present or appeal does not reflect unfavorably on you or your supervisor.

THIRD PARTY INTERVENTION

CMS believes open communication is the key to problem resolution and in that spirit, we encourage all employees to come forward with their problems, issues, or concerns. CMS wants to talk with you to resolve problems or concerns -- without fear of retaliation.

Although utilization of the "chain of command" is recommended as indicated above, you may directly contact any of the individuals listed to seek assistance in problem resolution.

Employees may be contacted by outside third parties, claiming to be able to solve employee problems. Employees should consider all of the facts before becoming involved with third parties.

QUESTIONS ON POLICIES AND BENEFITS

If at any time you have a question regarding your employment with CMS or our policies and benefits, you are encouraged to take the following steps in getting your question answered:

1. *Refer to the Employee Success Guide manual and other material you may have received, such as the Summary Plan Descriptions for the various insurance programs available.*
2. *If you have a question that is not addressed in the materials or you are still unclear, please check with your Supervisor and/or Site Manager. He/She can answer most questions you might have or obtain an answer for you.*
3. *If your Supervisor or Site Manager is unavailable or unable to answer your question, you may contact the CMS Central Office Human Resources Department in St. Louis at 800-325-4809.*

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CHARTER

Correctional Medical Services (CMS), the nation's leading provider of correctional healthcare services, is dedicated to successfully integrating managed care practices with the unique requirement of security environments.

CMS offers cost-effective, quality services in response to customer needs, striving to develop mutual trust with clients through open communication, consistent performance and responsiveness to changing system needs.

CMS values its employees for their professionalism, spirit of service and teamwork. Our staff are chosen for their ability to provide care consistent with industry standards, for their commitment to be a member of a correctional team, and for treating each inmate with dignity.

ACKNOWLEDGMENT

I hereby acknowledge receipt of the January 2002, CMS *Employee Success Guide*. I agree to familiarize myself with the Guide's contents. I realize that the Guide contains Company policies and procedures, but is not intended to be a complete and exhaustive explanation of those policies and procedures. I also understand that CMS reserves the right to change its policies and procedures as it decides necessary. I understand that this Guide does not constitute a contract of employment. I understand that I have the right to resign from employment at CMS any time and for any reason, and that CMS has the same right to terminate my employment at any time, with or without cause.

I also understand that should I leave the employ of CMS, any Paid Time-Off taken but not earned will be deducted from my final paycheck, where applicable and appropriate, according to the published schedule herein.

I agree to return this Guide upon completion of my employment.

Date: _____

Your Signature: _____

Your Printed Name: _____

Facility: _____

PLEASE RETURN THIS PAGE TO YOUR SITE MANAGER